

10 CT Cases / 1978/2024 AXIS FINANCE LTD Vs. LIBIN C J
11 CT Cases / 436/2025 AXIS FINANCE LTD Vs. PAWAN KUMAR

01.11.2025

Present: Sh. Amit Kumar, Proxy counsel for complainant.

Complaint perused. It is supported by affidavit.

Counsel for complainant submits that in view of judgment A.C. Narayanan Versus State of Maharashtra & Anr. Criminal Appeal No. 73 of 2007, there is no requirement of PSE.

Perusal of the files reveals that accused are initiated electronic funds transfer mandate in question to the complainant in discharge of liability. However, the same was not executed. Thereafter, demand notice was sent to the accused by the complainant. Despite service/deemed service of the said notice, accused failed to make the payment within 15 days as per provisions of Payment and Settlement Systems Act, 2007. On consideration of the complaint, annexed documents and verification affidavit of the complainant, this court is of the opinion that prima facie there are sufficient ground for proceeding under Section-25 of Payment and Settlement Systems Act, 2007 r/w Section-138 of Negotiable Instruments Act 1881, against the accused.

The complaint is within the territorial jurisdiction of this court and is within limitation. Enquiry U/s 225 BNSS conducted by scrutinizing documents.

Cognizance taken.

Issue summons to the accused through all modes on filing of PF/RC/Speed Post within 10 days, returnable for **27.03.2026**.

(NITIN SHAH)
JMFC (NI ACT)-05, (SOUTH),
SAKET COURTS, NEW DELHI, 01.11.2025